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OPPENHEIMER CINE RENTAL, LLC, OPPENHEIMER CAMERA PRODUCTS,
INC., and MARTY OPPENHEIMER

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VOICE INTERNATIONAL, INC., a
California corporation; DAVID GROBER,
an individual,

Plaintiffs,

v.

OPPENHEIMER CINE RENTAL, LLC, a
Washington corporation; OPPENHEIMER
CAMERA PRODUCTS, INC., a
Washington corporation; MARTY
OPPENHEIMER, an individual, JORDAN
KLEIN, SR., an individual, JORDAN
KLEIN, JR., an individual, JOHN DANN,
an individual, MAKO PRODUCTS, an
unknown entity, OCEANIC
PRODUCTION EQUIPMENT, LTD., a
Bahamian company; and DOES 1-10,
inclusive,

Defendants.

AND RELATED COUNTERCLAIMS

Case No.: CV-15-08830-JAK-KS

Hon. Judge John A. Kronstadt

**DEFENDANTS OPPENHEIMER
CINE RENTAL, LLC,
OPPENHEIMER CAMERA
PRODUCTS, INC. AND MARTY
OPPENHEIMER'S
COUNTERCLAIMS**

[JURY TRIAL REQUESTED]

Complaint filed: 11/12/15

Counterclaim filed: 6/29/16

COUNTERCLAIMS

1 **COUNTERCLAIMS FOR DECLARATORY RELIEF**

2 For its Counterclaims against Counterdefendants Voice International, Inc. and
3 David Grober, Counterclaimants Oppenheimer Cine Rental, LLC, Oppenheimer
4 Camera Products, Inc., and Marty Oppenheimer (collectively, “Counterclaimants”)
5 hereby state and allege as follows:

6 **SUBJECT MATTER JURISDICTION**

7 1. These Counterclaims are for declaratory relief action pursuant to 28
8 U.S.C. §§ 2201-2202, and seek a declaration under the patent laws of the United
9 States that the claims of United States Patent No. 6,611,662 (the “‘662 Patent”) are
10 not infringed and/or are invalid. The Counterclaims are so related to claims asserted
11 in the Complaint that they form part of the same case or controversy under Article III
12 of the United States Constitution. Accordingly, this Court has subject matter
13 jurisdiction over the Counterclaims pursuant to 28 U.S.C. §§ 1331, 1338(a), 1367(a).

14 **THE PARTIES**

15 2. Counterclaimant Oppenheimer Cine Rentals, LLC is a limited liability
16 corporation organized and existing under the laws of the State of Washington.

17 3. Counterclaimant Oppenheimer Camera Products, Inc. is a corporation
18 organized and existing under the laws of the State of Washington.

19 4. Counterclaimant Marty Oppenheimer is a resident of the State of
20 Washington.

21 5. Counterclaimants allege on information and belief that Plaintiff and
22 Counterdefendant Voice International, Inc. is a corporation organized and existing
23 under the laws of the State of California.

24 6. Counterclaimants allege on information and belief that Plaintiff and
25 Counterdefendant David Grober is a resident of the State of California.

26 7. Counterdefendants have sued Counterclaimants for infringement of the
27 ‘662 Patent in this action.
28

FIRST CLAIM FOR RELIEF

(Non-infringement of the '662 Patent)

8. Counterclaimants incorporate and reallege paragraphs 1 through 7 of these Counterclaims as though set forth in full herein.

9. Counterdefendants contend that Counterclaimants have infringed the '662 Patent.

10. Counterclaimants deny that they have infringed any valid and enforceable claim of the '662 Patent.

11. Therefore, an actual controversy exists between Counterclaimants and Counterdefendants as to whether Counterclaimants have infringed any valid and enforceable claim of the '662 Patent. A judicial declaration regarding this controversy is necessary and desirable.

SECOND CLAIM FOR RELIEF

(Invalidity of the '662 Patent)

12. Counterclaimants incorporate and reallege paragraphs 1 through 11 of these Counterclaims as though set forth in full herein.

13. Counterdefendants contend that each of the '662 Patent is valid.

14. Counterclaimants deny that each claim of the '662 Patent is valid.

15. Therefore an actual controversy exists between Counterclaimants and Counterdefendants as to whether each claim of the '662 Patent is valid. A judicial declaration regarding this controversy is necessary and desirable.

PRAYER FOR RELIEF

WHEREFORE, Counterclaimants pray for judgment on its Counterclaims as follows:

1. A declaration determining that Counterclaimants are not infringing, and have not infringed, any valid and/or enforceable claim of the '662 Patent;

2. A declaration that each claim of the '662 Patent is invalid;

Dated: June 29, 2016

By /s/ Ashe Puri
James E. Doroshow
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Attorneys for Defendants,
OPPENHEIMER CINE RENTAL, LLC,
OPPENHEIMER CAMERA PRODUCTS,
INC., AND MARTY OPPENHEIMER

JURY DEMAND

Defendants and Counterclaimants Oppenheimer Cine Rental, LLC,
Oppenheimer Camera Products, Inc., and Marty Oppenheimer request a trial by jury
on all issues so triable.

Dated: June 29, 2016

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